

ANDREW J. HILFORD,
Petitioner,
vs.
E.K. McDANIELS, et al.,
Respondents.

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3:11-cv-00228-ECR-RAM
ORDER

Moreover, no certificate of appealability shall issue where petitioner has failed to raise a claim that's merit would be debatable among reasonable jurists. *Miller-El v. Cockrell*, 537 U.S. 322 (2003), *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

IT IS THEREFORE ORDERED that the Motion to Dismiss (ECF No.12) is **GRANTED**. The petition is **DISMISSED WITH PREJUDICE**.

1 **IT IS FURTHER ORDERED** that no Certificate of Appelability shall issue. The Clerk
2 shall enter judgment accordingly.

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4 Dated this 27th day of February, 2012.

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7 UNITED STATES DISTRICT JUDGE
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